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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/520,305

01/05/2005

Detlef Mattinger

3156

5070

7590

12/14/2006

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EXAMINER

LU, JIPING

ART UNIT

PAPER NUMBER

3749

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/520,305	MATTINGER ET AL.	
	Examiner	Art Unit	
	Jiping Lu	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 24-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/15/06 has been entered.

### ***Drawings***

2. The drawings were received on 3/23/2006. These drawings are not acceptable because they are informal. The changes in the drawings are approved.

### ***Specification***

3. The amendment filed 9/15/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The phrase "releasable" in abstract and amended specification is new matter which is not supported by the original specification. The original specification only discloses that the air nozzle attachment 8 can be detached again. Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

4. Claim 30 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed "releasable" in claim 30 is new matter which is not supported by the original specification.

***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 24, 27, 29-30 are rejected under 35 U.S.C. 102 (b) as being anticipated by Guenin (EP 0970633).

Guenin shows an air nozzle attachment (Fig. 1) for a hair dryer, said hair dryer 1 having a fan 5 and a heater 12 for generating a central hot-air stream 9 and a concentric cold-air stream 11 concentric to the central hot-air stream at a blower opening, wherein the air nozzle attachment 23 is connectable to the blower opening (at 23) and produces a hot-air stream 18 and a cold-air stream (at 19) from the central hot-air stream 9 and the concentric cold-air stream 2 of the hair dryer 1, wherein said hot-air stream 18 and said cold-air stream (at 19) produced by the air nozzle attachment (8) are arranged side-by-side, wherein the air nozzle attachment (8) comprises a hot-air nozzle (at 18) and a cold-air nozzle (at 19) located side-by-side, wherein the air nozzle

attachment 23 on an end connectable with the blower opening (at 23), is provided with a central conduit entrance (not numbered, see Fig. 1, at 23) and a coaxial conduit entrance (not numbered, see Fig. 1, at 23)) coaxial to the central conduit entrance, and wherein the central conduit entrance opens into the hot-air nozzle and the coaxial conduit entrance opens into the cold-air nozzle. The hot-air nozzle has a smaller blower cross section than the blower cross section of the cold-air nozzle (see Fig. 1, at 23). The air nozzle attachment is axially connectable at the blower opening by detachable snap-on connection and be rotatable to any angular position.

***Claim Rejections - 35 USC § 103***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
8. Claims 25-28, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guenin (EP 0970633).

The air nozzle attachment of Guenin as above includes all that is recited in claims 25-28, 31-33 except for the shape, cross section, length, color and material of the air nozzle. With regard to claimed shapes, length, cross section, color and material, it would have been an obvious matter of design choice to design the nozzle of Guenin with any desired shape, cross section, length, color and material in order to obtain the optimum result since applicant has not disclosed that the claimed nozzle shape, cross section, length, color and material solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill in the art and it appears that the claimed feature does not distinguish the invention over similar features in the prior art. In particular, the use of universal identifying

Art Unit: 3749

colors for safety is well known in the art. For example, in heating art, the color blue stands for low temperature. The color red represents high temperature. Today's almost all hair dryers are made of heat-resistant plastic. With regard to the nozzle attachment, again, most hair dryers at home do have snap on connectors for easy assembly.

9. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guenin (EP 0970633) in view of Hubbuch (G 9100860.3).

The hair dryer with an air nozzle attachment of Guenin as above includes all that is recited in claim 34 except for a second air nozzle attachment which produces a hot air stream for optional usage. Hubbuch teaches an air nozzle attachment 3 for a hair dryer that produces only hot air stream same as claimed. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the hair dryer of Guenin to further include a hot air only nozzle attachment of Hubbuch in order to pursue the intended use.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

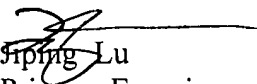
### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

Art Unit: 3749

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, COCKS JOSIAH can be reached on 571 272-4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jiping Lu  
Primary Examiner  
Art Unit 3749

J. L.